

STATE OF MICHIGAN  
COURT OF APPEALS

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In the Matter of DEONTE WASHINGTON,  
NIKITA WASHINGTON, and MIESHA  
WASHINGTON, Minors.

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DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

GREGORY WASHINGTON,

Respondent-Appellant,

and

CABRETTA REESE,

Respondent.

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UNPUBLISHED

May 17, 2007

No. 273840

Genesee Circuit Court

Family Division

LC No. 95-103752-NA

Before: Meter, P.J., and Kelly and Hood, JJ.

PER CURIAM.

Respondent-appellant appeals as of right from the trial court's order terminating his parental rights to the minor children under MCL 712A.19b(3)(b)(i), (c)(i), (g), and (j). We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

The trial court did not clearly err in finding that the statutory grounds for termination specified in MCL 712A.19b(3)(c)(i), (g), and (j) were established by clear and convincing evidence. MCR 3.977(J); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989).<sup>1</sup> Further, the evidence did not show that termination of respondent-appellant's parental rights was clearly not in the children's best interests. MCL 712A.19b(5); *In re Trejo Minors*, 462 Mich 341, 356-357; 612 NW2d 407 (2000).

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<sup>1</sup> Although it appears that clear and convincing evidence did not exist to support termination under MCL 712A.19b(3)(b)(i), this error was harmless in light of the evidence supporting terminating of respondent-appellant's parental rights under MCL 712A.19b(3)(c)(i), (g), and (j).

During this case, respondent-appellant failed to visit his children and there was evidence that he had only spoken to them sporadically before they were taken into custody in August 2005. Respondent-appellant failed to support his children financially and failed to complete or benefit from any services for nearly a year while his children were in foster care. Respondent-appellant did complete an “IARC” evaluation and a session of parenting classes between the time the petition for termination was filed and the termination hearing. However, this Court must evaluate respondent-appellant’s belated compliance in the context of his failure to act in the interests of his children from August 2005 to July 2006. In addition, technical compliance with the requirements of the parent-agency agreement is insufficient to avoid termination. *In re Gazella*, 264 Mich App 668, 677; 629 NW2d 708 (2005). Respondent-appellant must also have benefited from the services. *Id.*

Respondent-appellant’s refusal to acknowledge that he had a responsibility to provide his children with a safe and stable home demonstrated that he did not benefit from the services. Respondent-appellant expressed frustration that he had to participate in the case at all and his response was to remove himself from the situation by moving to Jackson. Respondent-appellant also complained that the children’s grandmother never stepped up to take custody of the children when their mother’s behavior brought them into care. Considering that respondent-appellant failed to participate in this case at all for nearly a year, and considering his failure to appreciate and accept his responsibility for the care and protection of his children, the trial court did not err in concluding that the statutory grounds for termination had been proven by clear and convincing evidence. Moreover, there was no evidence that termination was clearly contrary to the best interests of the children.

Affirmed.

/s/ Patrick M. Meter  
/s/ Kirsten Frank Kelly  
/s/ Karen M. Fort Hood